

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ANDREW CARGULIA, II, et al.,

Plaintiff,

-against-

ORDER

CV 13-712 (JS)(ARL)

JOSEPH AMADEO, et al.,

Defendants.

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LINDSAY, Magistrate Judge:

By order dated July 8, 2013, Judge Boyle directed the plaintiffs to show cause, in writing, on or before July 15, 2013, why this action should not be dismissed for failure to prosecute pursuant to Fed. R. Civ. P. 41(b). The plaintiffs failed to do so. Accordingly, the initial conference scheduled for July 22, 2013 is adjourned without date.

On or before August 2, 2013, the undersigned will give the plaintiffs one final opportunity to show cause in writing why the case should not be dismissed for failure to prosecute. If the plaintiffs fails to comply with this order, the undersigned will immediately recommend to Judge Seybert that the action be dismissed with prejudice, pursuant to the factors set forth in *LeSane v. Hall's Security Analyst, Inc.*, 239 F.3d 206 (2d Cir. 2001). The result of a dismissal with prejudice, should Judge Seybert accept the recommendation, would be the final disposition of the plaintiffs' claims against the defendant in this lawsuit, subject only to an appeal to the Second Circuit. The plaintiff is strongly urged to consider this result in weighing his options, and to appear for the conference as ordered.

Dated: Central Islip, New York
July 18, 2013

SO ORDERED:

_____/s/_____
ARLENE ROSARIO LINDSAY
United States Magistrate Judge